

**IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF PENNSYLVANIA**

IN RE FLONASE ANTITRUST LITIGATION

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CIVIL ACTION

NO. 08-CV-3301

**ORDER**

AND NOW, this \_\_14<sup>TH</sup>\_\_ day of July 2010, it is hereby **ORDERED** that Plaintiffs' Motion to Certify Class (Doc #84) and Amended Motion to Certify Class (Doc #133) are **DENIED without prejudice** to re-brief in light of the recent Third Circuit case filed on July 13, 2010, Sullivan v. DB Investments, Inc. (No. 08-2784). Additionally, the related motions at Docs # 131, 132, 137 and 151 are **DENIED without prejudice**. Further, the parties are ordered to re-brief Plaintiffs' Motion to Certify Class pursuant to the following schedule:

- Plaintiffs' Renewed Motion to Certify Class is due on or before September 30, 2010. The brief shall be limited to 60 pages.
- Defendant's Response thereto is due on or before October 21, 2010. The brief shall be limited to 60 pages.
- Plaintiffs may file a Reply brief on or before November 4, 2010. The brief shall be limited to 20 pages.

- Defendant may file a Surreply brief on or before November 18, 2010. The brief shall be limited to 20 pages.

Accordingly, the hearing on class certification scheduled for August 11, 2010 is CANCELED.

s/Anita B. Brody

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ANITA B. BRODY, J.

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